IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRIC OF OHIO
EASTERN DIVISION

AARON CLARK, et al,	:	
	:	
Plaintiffs,	:	
v.	:	**Case No. 2:08CV982**
	:	
THE WALT DISNEY COMPANY, et al.	:	**Judge Holschuh**
	:	
	:	**Magistrate Judge Abel**
Defendants.	:	
	:	
	:	

STIPULATION TO EXTEND DISCOVERY CUTOFF

Plaintiffs Aaron Clark and John Peirano ("Plaintiffs"), by and through undersigned counsel, and Defendant The Walt Disney Company ("TWDC"), by and through undersigned counsel, hereby stipulate and respectfully request this Honorable Court to continue the personal jurisdiction discovery deadline from September 10, 2009 as set by Order of this Court dated July 9, 2009 (Doc. 52) to September 30, 2009 to permit Plaintiffs to complete the previously noticed 30(b)(6) deposition of TWDC. The parties have agreed that no additional discovery of any kind will be propounded during this extension. TWDC agreed to the requested extension solely to accommodate the rescheduling of a 30(b)(6) deposition of TWDC that had to be cancelled due to the California wildfires.

The parties note that a discovery conference has been scheduled with Magistrate Judge Abel for September 16, 2009 at 2:30 p.m. EST to resolve the parties' dispute regarding TWDC's responses to Plaintiffs' discovery requests on the issue of personal jurisdiction.

Dockets.Justia.com

Accordingly, the parties request that the Court ordered discovery deadline of September 10, 2009 be continued by twenty days to September 30, 2009 to permit Plaintiffs to complete the previously noticed TWDC 30(b)(6) deposition.

Additionally, the Court's Order of July 9, 2009 provides that if after the completion of this limited discovery, Plaintiffs conclude there is no reasonable basis for this Honorable Court to exercise personal jurisdiction over TWDC, Plaintiffs shall dismiss all claims against TWDC. (Doc. 52). However, if Plaintiffs do not voluntarily dismiss all claims against TWDC, TWDC shall have until September 24, 2009 to file a renewed Motion to Dismiss for Lack of Personal Jurisdiction. (Doc. 52).

Based on the foregoing request, the parties hereby agree and stipulate that Plaintiffs will have until September 30, 2009 to voluntarily dismiss all claims against TWDC. If Plaintiffs do not voluntarily dismiss TWDC by September 30, 2009, TWDC shall have until October 14, 2009 to file a renewed Motion to Dismiss for Lack of Personal Jurisdiction.

Dated: September 9, 2009

Respectfully submitted,

/s/ Brian E. Dickerson

Brian E. Dickerson (0069227)
Sharlene I. Chance (0070999)
THE DICKERSON LAW GROUP, P.A.
5003 Horizons Drive, Suite 101
Columbus, OH 43220
Telephone: (614) 339-5370
Facsimile: (614) 442-5942
bdickerson@dickerson-law.com
schance@dickerson-law.com
Attorneys for Plaintiffs

Dated: September 9, 2009

Respectfully submitted,

/s/ Michael C. Lueder__________________
Michael C. Lueder
Trial Attorney
mlueder@foley.com
Foley & Lardner LLP
777 E. Wisconsin Avenue
Milwaukee, WE 53202

/s/ Grant Kinsel__________________
Grant Kinsel
Pro Hac Vice
GKinsel@foley.com
Foley & Lardner LLP
555 South Flower Street
Suite 3500
Los Angeles, CA 90071

/s/ Michael Song__________________
Michael Song
Pro Hac Vice
MSong@foley.com
Foley & Lardner LLP
555 South Flower Street
Suite 3500
Los Angeles, CA 90071
Attorneys for Defendant TWDC

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2009, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system upon counsels of record.

/s/ Sharlene I. Chance___________________
Sharlene I. Chance (0070999)
Attorney for Plaintiffs